

Select Board Meeting
Monday November 14, 2022
6:50 PM
Nowak Room, Town Offices
Final Minutes

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Niko Papakonstantis, and Nancy Belanger. Town Manager Russ Dean and Assistant Town Manager Melissa Roy were also present at this meeting.

1. Call Meeting to Order

The meeting was called to order by Mr. Papakonstantis at 6:50 PM. The Board went downstairs to the Wheelwright Room for an interview.

2. Board Interviews

- a. Alan Mangan for various committees

The Board reconvened at 7:03 PM.

3. Board Remarks

Mr. Papakonstantis discussed an incident where graffiti of a swastika was found in Swasey Parkway. The PD investigated and removed the symbol. Mr. Papakonstantis said he was sickened and upset by this news, because in Exeter we have zero tolerance for this despicable act of hatred and bigotry against race, religion, or sexual gender. Ms. Oliff said she was happy that a citizen in town reached out to the Board about the issue and that Chief Poulin responded very quickly. We want to act quickly to make people feel safe. Some people on social media said "it's just young people doing silly things," but if we as adults don't set the example of what is acceptable then those behaviors will continue.

Mr. Papakonstantis said there was a large turnout for the election, over 8,500 folks. He thanked the volunteers, the Town Moderator and her staff, the Supervisors of the Checklist, and the residents who showed up to vote.

4. Public Comment

- a. Town Moderator Kate Miller gave an update on the recent election. This was the biggest turnout for a midterm election, both in Exeter and throughout the State. We were very busy with voters. Andie Kohler did a great job training and managing the ballot clerks. The Supervisors of the Checklist had 500+ new voters registering that day. Once we have Poll Pads, we shouldn't have long lines anymore. We will print out more ballots next time.

5. Proclamations/Recognitions

- a. Ms. Gilman read the proclamation for Shop Small Saturday:

Whereas, the municipality of the Town of Exeter celebrates our local small businesses and the contributions they make to our local economy and community; and,
Whereas, U.S. shoppers who shopped at independent retailers and restaurants on Small Business Saturday reported spending a record high total of an estimated \$23.3 billion; and
Whereas, 79% of consumers understood the importance of supporting small businesses in their community on Small Business Saturday and 66% reported that the day makes them want to shop small all year long; and
Whereas, 58% of Small Business Saturday shoppers reported they shopped online with a small business on the day, an increase from 56% in 2020 and 43% in 2019; and
Whereas, The Town of Exeter supports our local businesses that create jobs, boost our local economy, and preserve our communities; and
Whereas, advocacy groups, as well as public and private organizations, across the Country have endorsed the Saturday after Thanksgiving as Small Business Saturday.
Now Therefore, We, the Select Board of the Town of Exeter, New Hampshire, recognize November 26, 2022 as Small Business Saturday and encourage residents of our community to support small businesses and merchants on Small Business Saturday and throughout the year.
Dated this 14th day of November, 2022.

6. Approval of Minutes

- a. Regular Meeting: October 24, 2022

MOTION: Ms. Belanger moved to approve the minutes of October 24, 2022 as presented. Ms. Cowan seconded. The motion passed 5-0.

7. Appointments

- a. There were no appointments made at this meeting.

8. Discussion/Action Items

- a. The Dollars and Sense of Development, a presentation by Urban3

Town Planner Dave Sharples introduced Joseph Minicozzi of Urban3, who gave a presentation on the revenues and costs of urban development. He said that small businesses employ more people, pay people more, and provide more taxes. They are more “potent” than larger businesses in taxes per acre. The relationship with Walmart is only 15-20 years in that space. Main Street is about community investment. NH is about 22% non-taxable land (parks, schools). The study focused on 15 NH Communities. In Exeter, the Hospital is valuable, but downtown is a higher value per acre. Exeter is 2% of the County but pays 4% of the County taxes. Downtown is 0.3% of the town’s area and 3% of its value. There is 68% taxable area in Exeter and 32% non-taxable. On the cost side, the Public Works investment is about 26% of the budget. The roads

need rehab every 10 years or so and redoing every 60 years. A town can keep the roads in better condition and save money by repairing them more often. Some towns put money aside for future needs rather than taking bonds.

Ms. Oliff expressed interest in continuing the conversation offline. How do we send the message to taxpayers to give the town money that we can put aside for the future so as not to pay long-term bonds? Mr. Minnicozzi said this presentation is videotaped, and there are other talks of his available online. He can also set up a webinar.

Ms. Cowan said she's glad to see the Planning Board Chair and others in the room. We should incorporate this information into our Planning and Zoning ordinances. We could develop a roadmap towards being more affordable and profitable. Mr. Papakonstantis said we should discuss it further at the All-Boards meeting.

Ms. Gilman said the Heritage Commission did a study on mapping over time. We have buildings downtown that may not be used in the best way, with offices on the upper floors instead of housing.

Ms. Belanger said the presentation shows us how interconnected housing and budget are. This information will help us make better decisions.

Mr. Sharples said he found out about this project before Covid, but it was delayed. He started conversation about a town-wide effort on the zoning side, and we're almost to a point of bringing some land use regulations forward that incentivize development for density. He will do a presentation on December 8 with the Horsley Witten group on development that is fiscally and environmentally responsible. The zoning changes could be on the 2023 or 2024 warrant.

Ms. Belanger said she would like the Board to do a work session on this issue.

b. Letter of Support - Raynes Barn Repairs Grant

Natural Resources Planner Kristin Murphy said we raised \$250,000 for Raynes Barn through grants, town meeting vote, and the Conservation Fund, but we were not successful in getting RFP responses, and inflation has dramatically increased costs. She found a contractor willing to work on the project and had him put together updated costs. We're \$50,000 short from what we need. There's a T-Mobile Hometown Grant for small communities to revitalize or rebuild community facilities, which caps at \$50,000. We have developed the grant proposal and need a letter of support from the Board.

MOTION: Ms. Belanger moved to authorize the Select Board to approve a letter of support for the repairs in the historic Raynes Farm Barn, Exeter NH Proposal to be included in the T-Mobile Hometown Grant application. Ms. Gilman seconded. The motion passed 5-0.

Sally Ward of 72 Park Street, a member of the Raynes Farm Stewardship Committee, said if we get this grant that will be wonderful, but if not we'll find something else.

Mr. Papakonstantis said if it doesn't work out they should come back. Ms. Murphy said the grant applications are due at the end of December, and we should know within 30-60 days. We do have a back-up plan if we don't get the grant.

c. Town Ordinance First Reading: Single Use Plastics

Natural Resources Planner Kristin Murphy and Sustainability Advisory Committee members Stacy Rogers and Chris Zigmont were present to give a presentation on the proposed ordinance change, which would ban certain single-use plastics from being distributed in town buildings or on town property.

MOTION: Ms. Belanger moved to open the public hearing on the single-use plastic ordinance proposal. Ms. Gilman seconded. The motion passed 5-0.

Ms. Rogers said that the Sustainability Advisory Committee is proposing to ban single-use plastics on town property. The Sustainability Committee has been working on this ordinance for a year and a half.

The impact of plastic pollution is permanent. Only 9% of all plastic has ever been recycled, and 88% of all plastic ever made still exists somewhere. 78 million tons of plastic packaging are produced every year. We put the equivalent of 1 garbage truck of plastic per minute into the ocean, which will double by 2030 if we don't reduce our consumption. Microplastics are ingested in water and other liquids. Microplastics are found in fish and seabirds, human blood and lungs. The long-term health effects of microplastics are unknown. 100 million marine animals die each year from plastic waste. Plastic will outweigh fish in the year 2050.

Mr. Zigmont of the Sustainability Committee said that recycling can't keep pace with the rate of plastic production. Exeter will spend \$500,000 in 2023 to haul away our recycling, but only 5% is even eligible for recycling. Plastic can only be downcycled, meaning it loses quality with recycling. Reduction is the best solution. We have alternatives for these single-use plastics. We're not just looking to do a ban, we're looking to find solutions.

Ms. Murphy said this is an opportunity for change. This committee is willing to step up as partners to help the community with the transition. This ordinance applies only to town property. It would not go on the warrant; it would be adopted by the Select Board after three public hearings. It's modeled after what's already been adopted by Portsmouth.

Ms. Murphy said we created surveys for staff and permittees for Town Hall, Swasey Parkway, etc. and met with individuals to hear their concerns, and made some modifications to the policy. The survey was sent to those who had 4+ town permits between 2019 and 2022. Their concerns were primarily water bottles and utensils. 56% said there would be no negative impact. We heard the feedback of allowing small amounts or having the town provide a recycling facility. Public Works is willing to provide recycling bins, if vendors will monitor what goes in there. There were concerns about Covid and food safety needs

from Seacoast Local, from their experience in having to follow these requirements in Portsmouth. Respondents also suggested that the town offer a drinking water source at town events.

We also surveyed town staff in 7 departments. 57% felt this policy would negatively impact their department, but some of that was misunderstanding of how the ordinance would be applied. This is more about distribution, ie the town purchasing something to give to others. Parks and Rec and Fire and Safety expressed the strongest concerns.

We made changes to allow for food safety, and added an exception for emergency responders and human service non-profits such as Meals on Wheels. We will continue to work with them on solutions. We eliminated the fine, because we want it to be more collaborative. The Sustainability Committee will work Parks and Rec on a transition plan, especially for the concession stand at the swimming pool. We're also looking at the potential for a Swasey Parkway drinking water source.

Ms. Murphy read the ordinance:

DISTRIBUTION OF SINGLE-USE PLASTIC BAGS, FOOD SERVICE PRODUCTS, AND POLYSTYRENE FOOD CONTAINERS ON TOWN PROPERTY

24.00 PURPOSE:

The Town of Exeter recognizes that limiting the distribution and subsequent disposal of single-use plastics through reduction is necessary to protect human health, to preserve the natural environment, and to promote sustainable and ethical practices regarding material waste.

24.01 DEFINITIONS

For the purpose of this Section, the following definitions apply:

2401.01 Distribution: The act of selling, providing or supplying products for use by customers or intended recipients at a point of sale, gathering, event, or activity.

2401.02 Human Service Organization: An organization focused on providing services to people in order to help them stabilize their lives and find self-sufficiency through guidance, counseling, treatment, and/or the provision of basic needs

2401.03 Reusable Bag: a bag specifically designed for re-use, capable of being used one hundred and sixty (160) times and has stitched or woven handles. Reusable Bags include woven reusable plastic bags.

2401.04 Single-Use Compostable Food Service Products: a bag, bottle, food container, cup, utensil, straw or other similar food service product that is composed of one hundred percent (100%) Polylactic Acid (typically

derived from plant-based starch such as corn) and provided by a vendor to a customer for the purpose of transporting or consuming food.

2401.05 Single-Use Plastic Bag: a bag that is made predominantly of polyethylene plastic derived from petroleum and provided at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or other goods. Trash bags used for disposing of waste are excluded.

2401.06 Single-Use Plastic Food Service Products: a bottle, food container, cup, utensil, straw or other similar food service product that is made predominantly of polyethylene plastic derived from either petroleum or natural gas, and provided by a vendor to a customer for the purpose of transporting or consuming food.

2401.07 Single-Use Polystyrene Container: a container or cup composed of synthetic aromatic hydrocarbon polymers that is made from the monomer styrene (often called Styrofoam) and provided by a vendor to a customer for the purposes of transporting food.

24.02 DISTRIBUTION OF SINGLE USE PLASTICS ON TOWN PROPERTY

No person shall distribute a prohibited single use disposable item at any town facility, town property, town-managed or sponsored event, or activity authorized through special permits issued under the authority of the Town of Exeter Select Board unless otherwise allowed under EXCEPTIONS 24.03.

Prohibited Single Use Disposables:

- 1. Single-Use Plastic Bags.*
- 2. Single-Use Plastic Food Service Products.*
- 3. Single-Use Polystyrene Containers.*

24.03 PRODUCT EXCEPTIONS:

- 1. Reusable Bags*
- 2. Single-Use Compostable Food Service Products*
- 3. Packaging materials required for food safety reasons added at the site of the business or a processing facility. Examples: wrapping around meats, seafood, lettuce mix or other perishable products.*
- 4. Products where alternatives to prohibited items do not exist, until an alternative is identified.*

24.04 ORGANIZATIONAL EXCEPTIONS:

1. All town departments/vendors may distribute their remaining inventory for 9 months following policy adoption
2. Items used by emergency responders or human service non-profit organizations.
3. Prohibited Single Use Containers brought by staff/customers themselves
4. Exeter Parks and Recreation Department will work with the Sustainability Committee to develop a transition plan.

24.05 PENALTIES AND REMEDIES

In addition to any other penalty or remedy permissible by law for violation of this ordinance, the following shall apply:

1. *If the Town determines a violation of this ordinance has occurred, a written warning will be issued.*
2. *Upon a second or subsequent infraction of this ordinance, the Town interprets this as a direct violation of the vendor permit and cause for refusal to approve use permit.*

Ms. Rogers read the FAQs from the presentation.

Mr. Zigmont discussed additional plans, such as developing vendor source lists and working with Parks and Rec to source alternatives like canned water.

Mr. Papakonstantis opened the discussion for public comment, but there was none.

MOTION: Ms. Belanger moved to close the public hearing. Ms. Gilman seconded. The motion passed 5-0.

Mr. Papakonstantis said this ordinance is a finely crafted final draft that went through many revisions. Consideration was given to all Department and public concerns.

Ms. Belanger said our process is sometimes slow, but this went through a good process with a good result. The Housing Advisory Committee did a walking tour and sent notices to people to bring reusable water bottles with them. We need to make sure there's a water source available for people. We want to make sure we're not jeopardizing Meals on Wheels. Mr. Zigmont said all human service elements are exempted, but our intention is to work with them to find solutions. We understand how vital their service is.

Ms. Gilman asked about cleaning recyclables at an event. Ms. Murphy said she doesn't have an answer for that. Ms. Gilman said we could put out

composting bins around town. Ms. Murphy said we do have a composting facility at the Transfer Station.

Ms. Cowan said we have to do something. Maybe this is big enough for now.

Mr. Zigmont asked Mr. Papakonstantis to explain why it's not a town-wide ordinance. Mr. Papakonstantis said the Select Board has the authority over town property. Town-wide is a zoning issue and would have to go on the warrant for town meeting. Ms. Murphy said the State needs to grant towns authority to regulate plastics, and they have not done that. This is the best we can do.

Mr. Papakonstantis said the second and third readings of this ordinance will be November 21 and December 5th.

d. Investment Policy Update

Finance Director Corey Stevens said regarding the town's investment policy, he worked with our bank and the Town Treasurer on different investment options for our excess funds. The provision that speaks to where we can invest our money is restrictive. He looked at the RSA that governs our investing, and it's more flexible. He proposes a language change to Section 3 of Investment Policy B, "Instruments of Investment," to allow us to take advantage of what the RSA allows. Now, we can only invest in banks chartered in NH, while the RSA allows us to start with a NH bank that sweeps money to other banks in the United States, provided it stays under \$250,000. This is regarding RSA 41:29 para 4; there would be a new paragraph 5.

MOTION: Ms. Belanger moved to authorize an update to section 3B of the investment policy to allow for investment options under 41:29 para 5 as attached in our packet and explained to us by the Finance Director this evening. Ms. Gilman seconded. The motion passed 5-0.

e. CATV Fund Update

Mr. Stevens said the operating budget for EXTV ends up in a deficit each year. The franchise fee is going 50% to the Cable Access Fund and 50% to the General Fund. In 2021, the fund balance was \$147,500. It will run out in 2025 if we don't change the allocation. We're moving the IT Coordinator position out of the fund. We also recommend bumping the allocation to CATV to 75%, which would require a warrant article.

Mr. Papakonstantis said Exeter TV is vital and we need to support it going forward. Committees need to be televised. It might be time for a warrant article.

f. Water/Sewer Rate Study Proposal

Mr. Dean said there is a need to update our Rate study. Underwood Engineers is proposing to create Water/Sewer rate models and predict necessary rate increases for the next five years. They will present different scenarios to the Board. It's \$43,200 for the study: \$21,600 from the Water Fund, and \$21,600 from the Sewer Fund.

MOTION [not voted]: Ms. Belanger moved to authorize spending of \$43,200 for the Town of Exeter Water and Sewer rate study as proposed: \$32,000 for the water/sewer rate model update, \$5,200 for misc charges, \$2,000 for presentation to Select Board Allowance, and \$4,000 for the System Asset Value Calculation Allowance. Ms. Cowan seconded. Ms. Gilman observed that the motion did not mention Underwood Engineers.

MOTION: Ms. Belanger moved to amend the previous motion to include that the Water/Sewer rate plan study is to be conducted by Underwood Engineers. Ms. Cowan seconded. The motion passed 5-0.

g. Schedule All Boards Meeting

Mr. Dean suggested holding the All Boards meeting after the first of the year, but not the same week as the budget and bond hearings. Mr. Papakonstantis suggested the week after the Feb 4 Deliberative Session. The location will either be Town Hall or the new community space at the Library. Ms. Belanger said the Library can't support media/projection. Mr. Papakonstantis said we should reach out to committee and board chairs and get feedback from members on a day and time.

9. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

i. There were no abatements or exemptions considered at this meeting.

b. Permits & Approvals

Parks and Rec Director Greg Bisson presented an application for a one-day malt wine license for December 6, 6-9 PM, for the Exeter Scholarship Fundraiser. The event expects 50-75 attendees. TEAM submitted a one-day application, and they need this approved before they can get a State liquor license. The event was held in 2019 with great success

MOTION: Ms. Belanger moved to authorize the application from Arts and Industry Alliance/TEAM to permit beer and wine at the Exeter Scholarship Fundraiser Dec 6, 2022 at Town Hall 6-9 PM. Ms. Gilman seconded. The motion passed 5-0.

Mr. Bisson discussed a request for tree work around the tennis courts. We solicited several quotes, but the topography of the surrounding area requires specialized equipment, and only one company, Seacoast Tree Care, can do it. They said we want to wait until winter to do the work so as not to stress the trees. We also get a discount at that time, and there are fewer people around the Rec Park. It would be \$6,615 from the Parks Improvement Fund. The Fund has \$10,887.27. This is the Department's last expenditure for the year.

MOTION: Ms. Belanger moved to authorize the Parks and Rec Dept to expend \$6,615 from the Parks Improvement Fund to contract with Seacoast Tree Care to trim trees around the lower tennis courts at the Recreation Park. Ms. Cowan seconded. The motion passed 5-0.

Mr. Papakonstantis said there's a memo from Public Works Director Jennifer Perry saying that drought conditions have improved to moderate drought. She recommends ending level 4 water use restrictions, and not instituting further restrictions.

MOTION: Ms. Belanger moved to end the level 4 outdoor water use restrictions that were instituted on July 21st, effective immediately, and not introduce any further restrictions at this time as recommended by the Public Works Director. Ms. Gilman seconded. The motion passed 5-0.

c. Town Manager's Report

- i. The Department of Labor visited the town on Nov 3, and we are subject to an audit. We're working with Public Works on safety issues. The town will get a report in the next few weeks. The last audit was in 2007.
- ii. He'll be at the NHMA conference this week, on Wednesday and Thursday.
- iii. Jennifer Perry had a retirement party, which he attended. We wish her the best.
- iv. The Planning Board meeting last Thursday had an issue with the video, but Pam McElroy and Bob Glowacky stepped in to help.
- v. The Public Safety open house is tomorrow from 4:30 to 6:30.
- vi. The tax rate will be set soon. He has a conference call tomorrow with DRA.
- vii. The Swasey Parkway filing went to Charitable Trust, and they recommended filing a deviation petition, which was done by town counsel.

d. Select Board Committee Reports

- i. Ms. Oliff had no report.
- ii. Ms. Cowan had no report.
- iii. Ms. Gilman said she took a rep from the NH Preservation Alliance through Town Hall regarding a grant for a historic building assessment survey to apply for the National Register. The Facilities Committee agreed that we need a Master Plan for Town Hall, and heard an update on the Public Safety center study status. At the Energy Committee, two students from EHS are now coming to meetings. That committee talked about the solar dashboard on the town website, which has been down for a long time. Revision energy will help us get it back up. The committee discussed upgrading the building code; the town is on the 2015 version. An update will be required in 2024.

Mr. P said the Facilities Committee sent a letter to the Select Board regarding the Public Safety Complex. They recommend that the warrant article contain language about what will happen to the existing building on Court Street.

- iv. Ms. Belanger attended the Planning Board, which reviewed a lot line adjustment on Hobart Street. The Communications Advisory Committee reviewed a draft of the social media policy and best practices; the next step is a meeting with the Town Manager. Re email blasts, all Depts are using different providers, and we should try to get them under one provider. We need to fund EXTV better. The Housing Advisory Committee had a debriefing on the Housing in Plain Sight walk. Dave Sharples presented on the Urban3 study. The committee discussed the Housing Needs Assessment update. The Planning Board had a compliance hearing for conditional approval, which was approved.
 - v. Mr. Papakonstantis said the Sustainability Advisory Committee talked about the plastics ordinance. He also attended Jennifer Perry's retirement luncheon.
- e. Correspondence
- i. A letter from Unitol to town and State officials about tree planting, which will be forwarded to the Tree Committee.
 - ii. A dues request from Rockingham Planning Commission for 2023.
 - iii. A letter from Vapotherm stating that the location at 100 Domain Drive will close effective 12/30/22.
 - iv. A DOT letter of sale regarding State-owned land in Exeter
 - v. An email from the NH Local Welfare Administration Association regarding funding updates.
 - vi. A notice from the Department of Energy on an Emergency Energy Assistance program.
 - vii. A resident letter regarding the Heritage Commission. Ms. Gilman said the commission members have not met to discuss the resident's concerns. The commission went through a process on creating a Neighborhood Heritage Area centering on Park Street. This would look like a Historic District but it's done by the residents. It's not attractive if you don't want to live in a Historic District. We voted to end the project but collect the documentation so another neighborhood could try this process. The creation of the District would have given people a source to hear what's happening in the neighborhood. She added that volunteers aren't perfect.
- Ms. Belanger said there were some misinterpretations made by the resident. However, she agrees that if there are documents, they shouldn't be kept at someone's house. She added that the commission putting together a summary was just to capture the work done. Not all work sessions are recorded, but there's always due diligence.

10. Review Board Calendar

- a. The next meetings are November 21, Dec 5, and Dec 19.

11. Non-Public Session

- a. There was no non-public session at this time.

12. Adjournment

MOTION: Ms. Belanger moved to adjourn. Ms. Gilman seconded. The motion passed 5-0 and the meeting was adjourned at 10:01 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary